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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 70 FR 42301 FR CITE DATE: 07/22/2005

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: 07/22/2005 COURT CASE #:

PERIOD OF REVIEW: 12/01/2002 TO 11/30/2003

PERIOD COVERED: 12/01/2002 TO 11/30/2003

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CASED PENCILS FROM CHINA FOR THE PERIOD 12/01/2002 THROUGH 11/30/2003 (A-570-827), VARIOUS FIRMS

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. FOR ALL SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE FIRMS LISTED BELOW, ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION, DURING THE PERIOD 12/01/2002 THROUGH 11/30/2003, ASSESS AN ANTIDUMPING LIABILITY OF 114.90 PERCENT OF THE ENTERED VALUE.

ANHUI IMPORT/EXPORT GROUP CORP.;
BEIJING LIGHT INDUSTRIAL PRODUCTS IMPORT/EXPORT CORPORATION;
SICHUAN LIGHT INDUSTRIAL PRODUCTS IMPORTS/EXPORT CORP.

ENTRIES OF MERCHANDISE FOR THE FIRMS LISTED ABOVE MAY HAVE ENTERED UNDER CASE NUMBER A-570-827-000.

2. THE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/01/2002 THROUGH 11/30/2003 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF FINAL RESULTS AND RESCISSION IN PART OF ADMINISTRATIVE REVIEW IN THE FEDERAL REGISTER ON 07/22/2005 (70 FR 42301). FOR ALL OTHER SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PRC YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF

ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY CU:JD).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party